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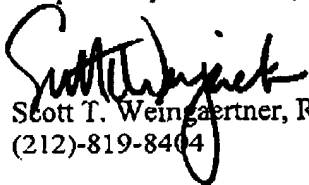
Date:	June 12, 2006	No. of Pages (including cover):	42
To:	Commissioner for Patents Mail Stop Appeal Brief - Patents	Fax Number:	571-273-8300
		Contact Number:	571-272-8800
Application No.:	10/019,898	Filed:	December 28, 2001
From:	Scott T. Weingaertner	Reference No.:	1140668-0005

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Further to the Notice of Appeal, filed on February 13, 2006, attached are the following documents:

- (1) PTO/SB/21 – Transmittal Form;
- (2) PTO/SB/22 – Petition for Extension of Time – two month extension;
- (3) PTO/SB/17 – Fee Transmittal – including authorization to charge a Deposit Account for the fees associated with filing the Petition for Extension of Time and the Appeal Brief;
- (4) Amendment After Final (8 pages); and
- (5) Appeal Brief (28 pages).

Respectfully submitted,


Scott T. Weingaertner, Reg. No. 37,756
(212)-819-8404

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(212)-819-8200

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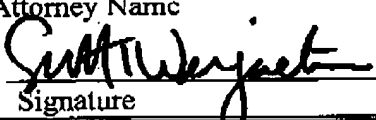
1140668-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Joachim Schmitt
Serial No. : 10/019,898
Filed : December 28, 2001
For : COMMUNICATIONS SYSTEM AND
COMMUNICATIONS METHOD FOR AN
AUTOMATION UNIT WITH COMMUNICATIONS
DATA STORED IN SAID AUTOMATION UNIT
Examiner : Duyen My Doan
Group Art Unit : 2143

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below at the facsimile number 571-273-8300	
<u>Scott T. Weingaertner</u> Attorney Name	<u>37,756</u> PTO Reg. No.
 Signature	<u>June 12, 2006</u> Date of Signature

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL


Sir:

Regarding the Notice of Appeal filed on February 13, 2006, attached are the following documents:

- (1) PTO/SB/21 – Transmittal Form;
- (2) PTO/SB/22 – Petition for Extension of Time – two month extension;

- (3) PTO/SB/17 – Fee Transmittal – including authorization to charge a Deposit Account for the fees associated with filing the Petition for Extension of Time and the Appeal Brief;
- (4) Amendment After Final (8 pages); and
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Respectfully submitted,


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PTO/SB/21 (09-04)

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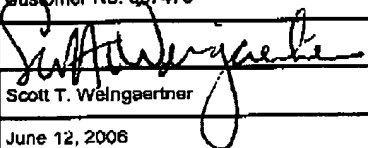
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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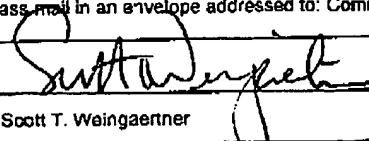
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/019,898
	Filing Date	December 28, 2001
	First Named Inventor	Joachim Schmitt
	Art Unit	2143
	Examiner Name	Duyen My Doan
Total Number of Pages in This Submission	Attorney Docket Number	1140668-0005

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Appeal Brief, Facsimile Transmittal Cover Sheet
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Customer No. 007470		
Signature			
Printed name	Scott T. Weingaertner		
Date	June 12, 2006	Reg. No.	37,756

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Scott T. Weingaertner	Date	June 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 950**Complete if Known**

Application Number	10/019,898
Filing Date	December 28, 2001
First Named Inventor	Joachim Schmitt
Examiner Name	Duyen My Doan
Art Unit	2143
Attorney Docket No.	1140668-0005

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 = _____ (round up to a whole number) x _____	_____	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): TWO MONTH EXTENSION FEE; APPEAL BRIEF FEE

950

SUBMITTED BYSignature Scott T. WeingaertnerRegistration No. 37,756
(Attorney/Agent)

Telephone 212-819-8200

Name (Print/Type) Scott T. Weingaertner

Date June 12, 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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